

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SIMON AND SIMON, PC, et al.,  
Plaintiffs,  
v.  
ALIGN TECHNOLOGY, INC.,  
Defendant.

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Case No. 20-cv-03754-VC


**ORDER DENYING MOTION TO  
PRECLUDE**

Re: Dkt. No. 191

The motion to preclude Align's argument that it terminated interoperability to protect its patent interests is denied. In the unlikely event that questions relating to the legitimacy of the positions Align took regarding its patents cannot be adjudicated without reference to privileged materials, the issue can be revisited at that time.

**IT IS SO ORDERED.**

Dated: December 8, 2022

  
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VINCE CHHABRIA  
United States District Judge